

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 08-02-19F

ZONING ORDINANCE AMENDMENT

AN ORDINANCE OF THE CITY OF HORSESHOE BAY AMENDING SECTION 2.30.1 AND SECTION 2.30.2 OF THE CITY OF HORSESHOE BAY'S ZONING ORDINANCE TO AUTHORIZE THE CITY TO REQUIRE PUBLISHING OF NOTICES FOR APPLICATIONS FOR CHANGES OF ZONING BOUNDARIES, REZONING REQUESTS, AND SIMILAR ZONING CHANGES IN THE HORSESHOE BAY BEACON A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY IN ADDITION TO THE LLANO NEWS THE CITY'S OFFICIAL NEWSPAPER; PROVIDING FOR EFFECTIVE DATE, REPEALER, SEVERABILITY AND FINDING OF PROPER NOTICE AND MEETING.

WHEREAS, Ordinance No. 07-09-18E, the City of Horseshoe Bay's Zoning Ordinance provides in Subsections 2.30.1 and 2.30.2, that for zoning or rezoning requests, and applications to change zone boundaries, notice of public hearings on such requests and applications shall be published in either the official newspaper of the City and/or a newspaper of general circulation in the City; and

WHEREAS, The City Council of Horseshoe Bay finds that amending the Zoning Ordinance to make Subsections 2.30.1 and 2.30.2 require that applications for rezoning, zoning or changes in zone boundaries require publishing of notices in both The Llano News, the City's official newspaper and the Horseshoe Bay Beacon, a newspaper of general circulation in the City, will more efficiently publicize notice of such public hearings;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, THAT:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. AMENDMENTS

(a) Amendment of Subsection 2.30.1

Subsection 2.30.1 of Ordinance No. 07-09-18E, the City of Horseshoe Bay's Zoning Ordinance, is hereby amended so that the entirety of the subsection shall read as follows:

2.30.1 For zoning or rezoning requests, the Council shall hold at least one public hearing on each zoning application. For proposed changes to zone boundaries including rezoning requests, notice of the public hearing shall be accomplished by publishing the purpose, time and place of the public hearing in The Llano News, the official newspaper of the City, and in the Horseshoe Bay Beacon, a newspaper of general circulation in the City not less than sixteen (16) days before the date of the hearing date of the public hearing. Written notice of the public hearing shall also be sent to all owners of property, as indicated by the most recently approved City tax roll, that is located within the area of application and within two hundred feet (200') of any property affected thereby, said written notice to be sent not less than eleven (11) days before the hearing date. Such notice may be served by using the last known address as listed on the most recently approved tax roll and depositing the notice, with first class postage paid, in the United States mail.

(b) Amendment of Subsection 2.30.2

Subsection 2.30.2 of Ordinance No. 07-09-18E, the City of Horseshoe Bay's Zoning Ordinance, is hereby amended so that the entirety of the subsection shall read as follows:

2.30.2. For requests involving proposed changes to the text of the Zoning Ordinance, notice of the public hearing shall be accomplished by publishing the purpose, time and place of the public hearing in The Llano News, the official newspaper of the City and in the Horseshoe Bay Beacon, a newspaper of general circulation in the City, not less than sixteen (16) days prior to the date of the public hearing. Changes in the Ordinance text which do not change zone boundaries or do not involve specific real property do not require written notification to individual property owners.

III. EFFECTIVE DATE

This Ordinance shall be and become effective immediately upon and after its passage and publication as may be required by governing law.

IV. REPEALER

All ordinances or parts of ordinances in force when the provisions of this Ordinance becomes effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of such conflict.

V. SEVERABILITY

Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by

reason of the invalidity of any other part. All provisions of this Ordinance are declared to be severable.

VI. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

ADOPTED AND APPROVED on this the 19th day of February, 2008 by a vote of the City Council of the City of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY, TEXAS

/S/
Robert W. Lambert, Mayor

Attest:

/S/
Teresa L. Moore, City Secretary